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1-30-02



Attorney's Docket No. 5718-23B (35718/199392)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Baszczynski *et al.*

Confirmation No.: None assigned

Appl. No.: 09/579,784

Group Art Unit: 1635

Filed: May 26, 2000

Examiner: J. Zara

For: TARGETED MANIPULATION OF GENES IN PLANTS

December 21, 2001

Commissioner for Patents
Washington, DC 20231

**RESPONSE UNDER
37 CFR §1.111**

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Sir:

Responsive to the Office Action mailed September 21, 2001, reexamination and reconsideration of the claims are respectfully requested in view of the following remarks.

REMARKS

Claims 1-8 are pending in the Application. Reexamination and reconsideration of the claims are respectfully requested in view of the following remarks.

The Rejection of the Claims Under 35 USC §103 Should Be Withdrawn.

Claims 1-8 were rejected under 35 USC §103(a) as unpatentable over Yoon *et al.*, in view of Spencer *et al.*, the combination of Perbal and Meisenberg *et al.*, and Gherzi *et al.* This rejection is respectfully traversed.

Yoon *et al.* is drawn to targeted gene correction of episomal DNA in mammalian cells mediated by a chimeric RNA-DNA oligonucleotide. As set forth throughout the Yoon *et al.* article, the experimental strategy utilized by Yoon was for the correction of single-base mutations of episomal sequences in mammalian cells. There is no discussion in the reference of utilization of chimeric RNA-DNA oligonucleotides to inactivate a target gene in the genome of a plant cell.